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Written statement* submitted by Amuta for NGO Responsibility, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement, which is hereby circulated in accordance with Economic and Social Council resolution 1996/31.

[28 February 2018]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Amuta for NGO Responsibility

World Health Organization and NGOs Misrepresent State of Gaza Health

On February 13, 2018, Human Rights Watch (HRW), along with Al Mezan Center for Human Rights, Amnesty International, Medical Aid for Palestinians (MAP), and Physicians for Human Rights-Israel (PHR-I), issued a joint statement condemning Israel's procedures for granting access for Gaza residents to Israel for medical treatment. The groups cite a December 2017 World Health Organization (WHO) document that claims that 54 Gazans died while awaiting approval to travel to seek medical attention in Israel or in the West Bank. The WHO paper does not provide a source for this figure.

This NGO statement inaccurately and disproportionately blames Israel for these deaths, and largely ignores the centrality to this issue of Palestinian terrorism and Israel's resulting legitimate security concerns.

In light of the errors and distortions, the Amuta recommends that policy makers and other officials must independently verify and examine claims by these NGOs prior to reliance on this material.

1. Questions on WHO Data

- Seven of the WHO's monthly updates for January-November 2017 make direct reference to fifteen total Gazans who passed away while waiting to travel outside of Gaza for medical treatment in 2017. The remaining four monthly reports make no mention of similar deaths, strongly suggesting that none occurred. WHO provides no explanation or source as to the large discrepancy between its monthly publications and its annual statistics.
- WHO provides no methodology for claiming that there is direct causality between the deaths and the lack of a permit.
- The monthly figures include at least one incident where the patient was waiting for "financial approval for referral out of Gaza," a function performed by the Palestinian Authority (PA) and not Israel.
- Additionally, the July update refers to a patient who died "awaiting referral out of Gaza," without identifying whether he was seeking treatment in Israel or in Egypt.
- The WHO's December report directly contradicts earlier statements in the UN's July 2017 Gaza funding appeal, which clearly notes permitting issues are the direct result of the PA delaying or suspending payments and referral approvals (see point 3 below).

2. Israel is not Obligated to Approve Travel Requests, yet Facilitates Medical Treatment for Thousands of Gazans Annually

- Sovereign countries – including Israel – have full discretion regarding who is permitted to enter the country. Israel is under no obligation to allow Gazans to enter Israel for any purpose, medical or otherwise.
- Nevertheless, Israel provides thousands of medical permits to Gazans and treats thousands of Gazans in Israeli hospitals annually. According to COGAT, throughout 2016, over 30,000 people from Gaza received medical treatment in Israel; over 7,000 tons of medical supplies were transferred to hospitals and clinics in Gaza. During January-July 2017, 490 ambulances were coordinated for the urgent transfer of patients and their escorts to hospitals in Israel, the West Bank, and abroad. According to a January 2017 report published by the Knesset's Center for Research and Information, there are 60-70 patients from Gaza being treated at Ichilov Hospital in Tel Aviv at any given moment.

- In 2016, 275 medical professionals from Gaza received visas to participate in medical workshops and seminars in Israel. Dozens of physicians from Gaza also participate in training seminars, in addition to foreign physicians coordinating visits to Gaza in order to train local physicians on medical practices and existing medical devices.

3. Intra-Palestinian Fighting and Diversion of Medical Aid and Services by Terrorist Organizations is Primarily Responsible for Gaza's Dysfunctional Health System

- The power struggle between the PA and Hamas has directly harmed Gaza's health infrastructure, leading Palestinians to seek treatment in Israel. As HRW's statement itself mentions in passing, the PA reduced "essential services" to Gaza during 2017, which have reportedly "increased the shortage of essential drugs and delayed the referral of patients for medical treatment outside Gaza. These developments have impacted the availability of essential services and the livelihoods of Gaza's two million residents."
- The UN itself admits fighting between Palestinian factions is responsible for Gaza's health problems in its July 2017 funding appeal: "Delays in the shipment of essential drugs and disposables from the West Bank by the PA's Ministry of Health (MoH), has resulted in some 37% per cent of essential pharmaceuticals and 32% of medical supplies being at zero stock at Gaza's Central Drug Store."
- That same UN document cites the WHO and notes that it is the PA that has been responsible for permitting dealys and not Israel: "The MoH appears to have also recently been delaying or suspending the payment for the referral of patients to medical treatment outside Gaza, as reported by the World Health Organization, with about 1,600 patients currently on a waiting-list at the time this document went to print. This may be resulting in higher mortality rates among waiting patients, including highly vulnerable neonates."
- The PA's reduction of support for Gaza has led to severe electricity shortages at Gaza medical centers.
- Hamas has consistently stolen humanitarian aid intended for Gaza's civilian population, including accusations of theft of medical supplies.
- Hamas has regularly violated international law by commandeering ambulances and placing military command posts within medical facilities. This abuse directly and adversely affects the quality of health in Gaza.
- A committed effort on the part of Hamas to use international humanitarian assistance to develop quality medical care for Gaza residents would remove the need to rely on Israeli facilities. Instead, the terrorist organization has diverted these resources towards enhancing its military capabilities.

4. Palestinians Have Abused Medical Travel Permits to Engage in Terrorist Activity

- In April 2017, two Gazan women were arrested while attempting to smuggle explosives from Gaza into Israel, with the aid of their medical travel permits.
- This incident represents just one episode in a long history of attempts by Palestinian terrorist organization to take advantage of Israeli medical permits in order to launch attacks on Israeli citizens.
- The statement claims that the number of Palestinians that crossed into Israel through the Erez crossing represented 1% of the number who had crossed in September 2000. The fact that this stark decrease corresponds to a decade-and-a-half period that saw the Palestinian suicide bombing campaign, Hamas' violent takeover of Gaza, and extensive rocket fire directed at Israeli civilians leading to multiple military conflicts, clearly proves the decisive role that Palestinian violence has played in limiting access to Israeli medical facilities.

5. It is not Clear that these Deaths can be Attributed Directly to Delayed or Rejected Permit Requests

- Human Rights Watch (HRW) and its other partners imply that had these Palestinians received Israeli medical care, they would have survived. However, this completely disregards their prognosis at the time that they applied for a permit. Moreover, it is unclear how many Palestinians who died before traveling to Israel passed

away as a result of other factors (natural deaths, accidents, crime), unrelated to the medical reason cited for requesting permission to enter Israel.

- It is overly simplistic to claim that these Palestinian would have all recovered from their illnesses had they just been admitted to Israeli hospitals.

6. It is Unclear How Many Individuals Applied for Permits

- As WHO has noted in previous instances, patients who were denied entry into Israel can reapply. Thus, it is likely that the percentage of individual *applicants* who were approved entry into Israel is in fact higher than the number of *applications* that were accepted.

- The December 2017 WHO document does not provide the total number of Palestinian applicants.

The fact that these organizations ignored or downplayed these fundamental issues affecting Palestinian access to health highlights the political motivation at the core of their statement. The one-sided and misrepresented portrayal of complete Israeli fault while ignoring myriad ways in which Palestinian organizations hamper Gazan health is the result of a strong motivation to blame Israel regardless of the facts.